

**Notice of Allowability**

Application No.

10/694,655

Examiner

William L. Miller

Applicant(s)

REPIC ET AL.

Art Unit

3677

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to informal response filed 04-22-2005.
2. ☒ The allowed claim(s) is/are 4-9.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 07192005.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 07192005.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Edward Repic on 07-20-2005.

The application has been amended as follows:

*In the specification:*

Paragraph [0035], line 7, delete "a permanent seal" and "against gas/smoke";

Paragraph [0035], line 8, delete "escape".

*In the claims:*

Cancel claims 1-3;

Add the following new claims:

Claim 4. (new) An inlet door to provide access to a chute constructed as or behind a fire-rated wall whether the wall is existing or new, the inlet door includes several components comprising:

an exterior trim piece receiving a frame;

the frame including an opening in the middle, the frame having a portion extending forwardly less than four inches from the opening, the frame portion receiving fire stopping gasketing, the frame including four flat surfaces interconnected to present a single vertical plane

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adapted to be parallel to a wall in which the frame is to be mounted, the flat surfaces set around the middle opening and receiving fire stopping gasketing, the frame including a four sided generally rectangular projection set around the middle opening and extending rearwardly from the four flat surfaces to be mounted within an existing wall opening or chute throat, and fire stopping caulking positioned on the frame;

a stop assembly mounted within the frame and including a mounting surface inclined away from a user and having gasketing positioned thereon;

a door panel including an inner door frame and an outer two-piece skin of a decorative nature, the inner door frame comprised of at least two side panels and a bottom panel of heavy gauge metal welded together to form a unitized tray which receives insulative material and resists deflection, a steel pipe or rod positioned at the top of the tray providing horizontal pivoting and closure to the top of the door panel, the outer two-piece skin comprising a front skin panel receiving gasketing and including holes as receptors for latches, and a rear skin panel engaging the front skin panel to enclose and protect the inner door frame and the insulative material therebetween;

mechanical, electronic, electro-pneumatic, or fully pneumatic, single or multiple positive latching activation means mounted within the frame and designed to engage the door panel and the stop assembly to provide reliable, fail-safe latching to insure engagement of the door panel and the gasketing;

supervised access control of the single or multiple positive latching activation means which is mounted in the frame portion and activates a timer that activates the latching means and

withholds the latching means allowing sufficient user disposal time and preventing premature closing of the door panel;

assisted lifting for the door panel by a first gas-over hydraulic piston mounted nearly vertically on either side of the frame to provide for assisted lifting of the door panel whereby the door panel can be pushed open by pushing disposal materials away from the user and into the door panel, the door panel closing by gravity and compressing the stop assembly gasketing;

dampened closing for the door panel by a second gas-over hydraulic piston which is adapted to protect the user from debris dropped from above and to control the rate of close of the door panel, the dampened closing means allowing for a pressure increase in the last approximately two inches of closing travel of the door panel to insure compression of the stop assembly gasketing and to facilitate the single or multiple positive latching of the door panel for a fail-safe door-closed position; and

the trim piece designed for retrofit or new construction installation of the inlet door, the trim piece providing either surface mounted or flush mounted protection to facilitate complete covering and serviceability of the exterior perimeter of the frame and the access control and latching means, the trim piece including a lip to cover a portion of the stop assembly gasketing to protect it from wear, and the trim piece establishing an effective opening.

Claim 5. (new) The inlet door according to claim 4, wherein the mechanical latching means comprises a manually operated panic-bar device mounted to a front of the door panel, the access control including a key lock, and the mechanical latching means projecting into side faces of the stop assembly.

Claim 6. (new) The inlet door according to claim 4, wherein the electronic latching means comprises the access control as a magnet/reed switch or other electronic access control powered internally or externally and utilizes the electronic latching means by a timed solenoid.

Claim 7. (new) The inlet door according to claim 4, wherein the electro-pneumatic latching means comprises the access control as a magnet/reed switch or other electronic access control powered internally or externally, the electro-pneumatic latching means powered by compressed air including cylinders/plungers, a flow controller, a regulator needle valve, and an electro/pneumatic timer.

Claim 8. (new) The inlet door according to claim 4, wherein the fully pneumatic latching means comprises keyed, palm-button switching, pneumatic timing, and sequencing either through the use of separate parts or combined within a pneumatic logic circuit, the fully pneumatic latching means powered by compressed air including cylinders/plungers, a flow controller, a regulator needle valve, and an electro/pneumatic timer.

Claim 9. (new) The inlet door according to claim 4, wherein the unitized tray further comprises a front panel.

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Fig. 1 will be amended to label 113 as fire stopping caulk, and Fig. 7 will be

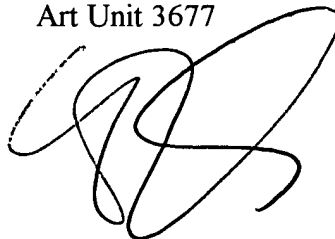
amended to illustrate the insulative material 34 and delete the annotation ("NOT SHOWN"). In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Miller whose telephone number is (571) 272-7068. The examiner can normally be reached on Tuesday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William L. Miller  
Primary Examiner  
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A handwritten signature in black ink, appearing to be 'WLM', is written over the printed name and title of the examiner.

WLM